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General Assembly

FIFTY-FIRST SESSION

Official Records

FIFTH COMMITTEE
55th meeting
held on
Thursday, 27 March 1997
at 9.30 p.m.
New York

SUMMARY RECORD OF THE FIRST PART* OF THE 55th MEETING

Chairman: Mr. SENGWE (Zimbabwe)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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* The summary record of the second part of the meeting will appear as document A/C.5/51/SR.55/Add.1.

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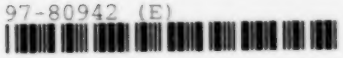

The meeting was called to order at 9.30 p.m.

OTHER MATTERS

Programme performance report requested in section II, paragraph 11, of resolution 50/214

1. The CHAIRMAN recalled that, in resolution 51/221 B, the General Assembly had expressed regret that it had still not received the programme performance report on the impact of savings measures on the implementation of mandated programmes and activities which, in accordance with section II, paragraph 11, of resolution 50/214, was to have been submitted before the end of the fiftieth session, and requested the Secretary-General to submit that report no later than 1 March 1997.

2. Mr. PASCHKE (Under-Secretary-General for Internal Oversight Services) said that the Office of Internal Oversight Services (OIOS) was responsible for oversight and did not undertake any functions which fell within the purview of Management. General Assembly resolution 48/218 (section I.B) specified that OIOS would assist the Secretary-General in implementing the provisions of article V of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation relating to the monitoring of programme implementation. Regulation 5.1 stated that, after the completion of the biennial budget period, the Secretary-General should report to the General Assembly, through the Committee for Programme and Coordination, on programme performance during that period.

3. The date specified for the submission of the report requested in resolution 50/214 was March 1997 at the latest. What was sought therefore was a report on a programme of work that was under implementation before the completion of the biennial budget period. Consequently, such a report did not fall within the purview of article V.

4. It was significant that the General Assembly had not identified OIOS as the entity responsible for preparing the report in question. From the point of view of evaluation, it would be premature to assess the impact of the savings measures before the biennium was completed and the work was delivered.

5. It was Management's responsibility to apprise Member States of the changes which had been introduced in the programme of work as a result of the approved savings measures. If the Assembly wished to have additional information on how the savings were being achieved, it could seek clarifications from Management as to the rationale and criteria for their distribution among the various subprogrammes and activities.

6. The impact of the savings measures could be assessed with hindsight in the context of the Secretary-General's report on programme performance covering the biennium 1996-1997, the preparation of which would be entrusted to OIOS. If the Assembly so desired, OIOS could devote a separate section to that issue in the

report which it would submit to the fifty-second session through the Committee for Programme and Coordination.

7. Mr. STÖCKL (Germany) said that responsibility for the preparation of the report requested by the General Assembly in resolution 50/214 rested with the Department of Administration and Management and that the senior official of that department should have attended the meeting in order to provide explanations and reply to the questions of Member States. The Secretariat should have a clear understanding of the distribution of responsibilities among its various units.

8. Mr. NOUR (Egypt) endorsed the views expressed by the representative of Germany and said that the Secretariat had disregarded two resolutions of the Assembly in failing to submit the report that had been requested. The matter should be taken up at a later stage in the resumed session.

9. Ms. GOICHOCHEA (Cuba) endorsed the views of the representatives of Germany and Egypt and said that the report should be submitted at a later stage in the resumed session.

10. The CHAIRMAN said he took it that the Committee wanted him to inform the Department of Administration and Management that the report requested would be the first order of business at the resumed session and that the report was the responsibility of that department.

Situation with respect to the garage and interruption of the public broadcast of the 51st meeting

11. Mr. NASEREDDIN (Chief, Buildings Management Service), responding to the questions posed at the preceding meeting by the representative of Costa Rica, said that the amount of $329,200 had been allocated in the programme budget for the biennium 1996-1997 for waterproofing in the garage. A subsequent study, however, had revealed that the deterioration was extremely severe and widespread and that more funds would be needed for the repairs. The additional funds had been obtained by reallocating resources, and construction was expected to begin by 1 June 1997. From 1 June to 1 September 1997, 245 parking places for delegates would be out of commission. Two hundred of those places would again be available for use after 1 September. Consideration was also being given to the possibility of designating other areas of the floor space at Headquarters as parking places. With regard to the interruption of the public broadcast of the Committee's 51st meeting, he understood that the Office of the Spokesman for the Secretary-General had been in contact with the Chairman of the Committee.

12. Ms. EMERSON (Portugal) sought clarification as to the meaning of the word "summons" which appeared on the notices that had been put on her car.

13. Ms. GOICOCHEA (Cuba) asked what measures the Secretariat would take to comply with the provisions of section III, paragraph 73, of General Assembly resolution 50/214 concerning the operation and administration of garages and asked whether the Secretariat intended to circulate a document on the subject. Her delegation understood that the approved appropriations under section 31 of the budget (Construction, alteration, improvement and major maintenance) were much higher than the amount referred to by the representative of the

Secretariat. In addition, she would like a representative of the Department of Administration and Management to provide clarification during the resumed session concerning projects which were under way in the context of section 31 of the budget, bearing in mind resolution 50/214. Lastly, she asked the Secretariat to lay to rest the rumour that personnel not connected with the United Nations were allowed to park in the garage outside working hours.

14. Mr. SIAL (Pakistan) protested the notices which were being put on cars and complained that representatives who were working, attending meetings, were being charged for parking at night.

15. Mr. NASEREDDIN (Chief, Buildings Management Service) explained that charges were made only for parking in the garage after 1 a.m. The notices were not fines, but rather warnings that the area in which the vehicle was parked was dangerous and illegal.

16. Ms. GOICOCHEA (Cuba) said that, as answers had not been provided to all the questions that had been asked, she requested that written replies be provided during the resumed session.

17. Ms. INCERA (Costa Rica) said she wished to know why the Committee had not been informed of the communication which, according to Mr. Nasereddin, the Spokesman for the Secretary-General had sent to the Chairman of the Committee concerning the interruption of the public broadcast of the 51st meeting.

18. The CHAIRMAN said that he had contacted the Chef de Cabinet concerning the matter, but had not received a satisfactory reply. He had hoped that the Director of Conference Services would have attended the meeting to provide explanations.

19. Ms. INCERA (Costa Rica) asked the Secretary of the Committee to confirm that the Spokesman for the Secretary-General had asked him to interrupt the public broadcast of the 51st meeting.

20. Mr. ACAKPO-SATCHIVI (Secretary of the Committee) said that no one had consulted him on that measure, which had been imposed on the Committee. Rule 60 of the rules of procedure of the General Assembly clearly stated that the meetings of the Assembly and its Main Committees were held in public, unless the organ concerned decided to meet in private.

21. The decision to interrupt the public broadcast had been taken by officials in the Secretariat, but he had no information on the matter. The Committee was entitled to know what had happened.

22. Ms. INCERA (Costa Rica) said that it was disturbing that the Secretariat took decisions without consulting Member States and in disregard of the rules of procedure. Someone in the Secretariat must know who had given the order, to whom it had been given and who had carried it out.

23. The CHAIRMAN said that he would transmit the views of the Committee on that matter to the Secretariat so that the latter could submit a reply at the next regular session.

AGENDA ITEM 111: FINANCIAL REPORTS AND AUDITED FINANCIAL STATEMENTS, AND REPORTS OF THE BOARD OF AUDITORS (continued)

Draft resolution A/C.5/51/L.47

24. Mr. BLUKIS (Latvia), speaking as the coordinator of the consultations, introduced, on behalf of the Chairman, draft resolution A/C.5/51/L.47, entitled "Financial reports and audited financial statements, and reports of the Board of Auditors", and proposed an amendment to section B, paragraph 10. In his view, the words "in the United Nations Environment Programme" should be inserted after the words "serious problems".

25. He noted that, in section A, paragraph 24, a new procedure was introduced whereby the other substantive findings and recommendations of the Board of Auditors would be considered under the relevant items of the agenda; that procedure would also apply in future, where appropriate. Section B related to the conclusions and recommendations of the Board of Auditors concerning special funds and programmes.

26. Before recommending adoption of the draft resolution by consensus, he pointed out that seven informal meetings had been required in order to draft it, and wondered whether a shorter and more effective draft could not have been prepared in fewer meetings.

27. Draft resolution A/C.5/51/L.47, as orally amended, was adopted.

28. Mr. HANSON (Canada), speaking in explanation of position, said that he was pleased to join the consensus on the draft resolution. However, he wished to express his concern regarding section B, particularly paragraphs 2 and 11, relating to funds and programmes, since he considered that the text of the draft resolution should not be interpreted to mean that the Committee itself could not request the executive heads of those funds and programmes to take corrective measures on the basis of the recommendations of the external auditors. His delegation considered that the Committee was empowered to make such requests, as was done in section A, paragraph 4. He understood that section B of the draft resolution, in its current form, did not in any way constitute a precedent, and he reserved the right to re-examine that matter in the future.

29. The CHAIRMAN said that the Committee had concluded its consideration of item 111, and requested the Rapporteur to report directly to the General Assembly.

AGENDA ITEM 165: FINANCING OF THE MILITARY OBSERVER GROUP OF THE UNITED NATIONS MISSION FOR THE VERIFICATION OF HUMAN RIGHTS AND OF COMPLIANCE WITH THE COMMITMENTS OF THE COMPREHENSIVE AGREEMENT ON HUMAN RIGHTS IN GUATEMALA (continued)

Draft resolution A/C.5/51/L.48

30. Mr. ALOM (Bangladesh), Vice-Chairman of the Committee, introduced draft resolution A/C.5/51/L.48, and said that it had the full support of all delegations. He called attention to paragraph 6, in which the General Assembly

decided to appropriate the amount of US$ 4 million gross for the operation of the Observer Group, and recommended that the draft resolution should be adopted without a vote.

31. Draft resolution A/C.5/51/L.48 was adopted.

32. Mr. STEIN (Germany), speaking in explanation of position, said that, as it had already stated in May 1996 and had repeated every time a peacekeeping budget was adopted, his delegation joined the consensus on peacekeeping budgets, but did so with reservations. It was concerned that the amount of every peacekeeping budget would not be fully covered, since one Member State had announced its intention to reduce its assessed contribution to peacekeeping budgets to an amount which it deemed convenient. That unilateral action would further contribute to the Organization's already difficult financial situation and, in the long run, jeopardize the implementation of all peacekeeping operations. The Secretary-General's commitment authority for every peacekeeping budget would have to be adjusted to the predicted income level. Germany fully supported the MINUGUA operation, but was neither ready to stand up for the non-payment of other Member States nor to accept a change in its share in the current scale of assessments.

33. The CHAIRMAN said that the Committee had concluded the current stage of its consideration of item 165, and requested the Rapporteur to report directly to the General Assembly.

AGENDA ITEM 112: REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS (continued)

34. Mr. STEIN (Germany), Vice-Chairman of the Committee and coordinator of the informal consultations, said that, for the time being, he had no positive results to communicate or documents to distribute. The question of the reform of oversight bodies had been considered in two informal meetings, in which the discussion had centred on the changes which the various delegations desired in respect of the Committee for Programme and Coordination, the Advisory Committee on Administrative and Budgetary Questions, the Joint Inspection Unit and the Board of Auditors. All the points considered were currently being incorporated into one document. He proposed that the Committee should continue its consideration of that item at the beginning of the second part of the resumed session, in May, and urged that informal consultations on that matter should be scheduled at an early date.

35. The CHAIRMAN said he took it that the consideration of that question would be continued during the second part of the resumed fifty-first session.

36. It was so decided.

37. The CHAIRMAN said that the Committee had concluded the current stage of its consideration of item 112.

AGENDA ITEM 113: PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

38. The CHAIRMAN read out the text of draft decision A/C.5/51/L.51. He recalled that item 113 had been allocated to the Fifth Committee and said that, from the technical standpoint, the General Assembly should have announced at the last plenary meeting of the fiftieth session that it had concluded consideration of that item, in the light of the adoption of resolution 50/216. The Committee now had the duty to recommend to the General Assembly that it should adopt a decision to that effect.

39. It was so decided.

40. The CHAIRMAN said that the Committee had concluded its consideration of item 113, and requested the Rapporteur to report directly to the General Assembly.

AGENDA ITEM 116: PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997 (continued)

Draft decision A/C.5/51/L.55

41. Mr. HUMENNY (Ukraine), Rapporteur, introduced the draft decision, which concerned travel and related expenses. The text had been adopted by consensus in informal consultations, on the understanding that the question of travel entitlements of staff of the United Nations common system, which was of great importance, would be considered as a priority matter by the International Civil Service Commission, without prejudice to its consideration of the remaining items in the provisional programme of work of that body for its next session.

42. Mr. SULAIMAN (Syrian Arab Republic) observed that draft decision A/C.5/51/L.55 had been issued only in English, partly because the consultations on that matter had taken place at the last minute. He hoped, however, that the text would be issued in all the languages.

43. Mr. SCOTTI (France) also expressed concern because some draft decisions and draft resolutions had been distributed in only one language. Although it recognized the difficulties involved in negotiating several texts and the pressure under which the Committee was working, his delegation wished to point out to the Secretariat that the normal practice was to take decisions on the basis of texts in all the official languages of the Organization.

44. Mr. HANSON (Canada) and Ms. INCERA (Costa Rica) endorsed the comments of the representatives of the Syrian Arab Republic and France.

45. The CHAIRMAN thanked delegations for their flexibility and understanding. He took it that the Committee wished to adopt the draft decision that had been read out, which would be issued as document A/C.5/51/L.55.

46. Draft decision A/C.5/51/L.55 was adopted.

47. Mr. GODA (Japan), speaking in explanation of position, said that his delegation had joined the consensus on draft decision A/C.5/51/L.55 because the matter of travel and related expenses was urgent and had been under

consideration for years without appropriate action being taken. Such measures would have to be adopted during the second part of the resumed session. Nevertheless, the Japanese delegation requested that its strong view should be conveyed to the International Civil Service Commission that the consideration of that matter should not prevent it from responding to the request in section II, paragraph 3, of General Assembly resolution 51/216 regarding the setting of salaries for General Service staff.

48. The CHAIRMAN said that the Committee had thus concluded its consideration of that topic.

Report of the Secretary-General on gratis personnel provided by Governments and other entities (continued) (A/51/688 and Add.1)

Draft decision A/C.5/51/L.52

49. Ms. PENA (Mexico), coordinator of the informal consultations, introduced draft decision A/C.5/51/L.52, entitled "Gratis personnel provided by Governments and other entities", which was also relevant to agenda items 120, 137, 139 and 140. Consensus had been reached on the text during the informal consultations, and she recommended its adoption without a vote.

50. Mr. YUSSUF (United Republic of Tanzania), speaking on behalf of the Group of 77 and China, said that those delegations had no objection to draft decision A/C.5/51/L.52. However, they had submitted several proposals regarding the report of the Secretary-General on gratis personnel and the related report of the Advisory Committee on Administrative and Budgetary Questions which they hoped would be considered at the second part of the resumed session.

51. Mr. SIAL (Pakistan) said that, during the informal consultations, the Secretariat had been asked to provide information on various issues but it had not done so. One delegation in particular had asked how the Secretariat obtained information on the military capability of Member States. His delegation hoped that the Secretariat would provide the requested information in writing when that question was taken up again during the second part of the resumed session.

52. Draft decision A/C.5/51/L.52 was adopted.

53. The CHAIRMAN said that the Committee had thus completed its consideration of the item and requested the Rapporteur to report directly to the General Assembly.

AGENDA ITEM 141: REPORT OF THE SECRETARY-GENERAL ON THE ACTIVITIES OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES (continued) (A/51/432)

54. Ms. ARAGON (Philippines), coordinator of the informal consultations, said that further informal consultations would be necessary to enable the Committee to complete its work on the item, but that no procedural decision was required, since, in accordance with General Assembly decision 51/458, the Committee could resume its consideration of the report of the Secretary-General on the activities of the Office of Internal Oversight Services (A/51/432), as well as

the Secretary-General's report on enhancing the internal oversight mechanisms of operational funds and programmes (A/51/801), at the second part of its resumed fifty-first session.

55. It had also been agreed that, in accordance with General Assembly decision 51/458, the following reports of the Office of Internal Oversight Services would be considered under the relevant agenda items: the audit of Headquarters catering operations (A/51/802); the review of outsourcing practices in the United Nations (A/51/804); and the review of the United Nations Environment Programme (UNEP) and the administrative practices of its secretariat, including the United Nations Office at Nairobi (A/51/810). She requested the Bureau to make the necessary arrangements to that effect.

56. The CHAIRMAN said that he would take it that, in the light of the statement by the coordinator for agenda item 141, the Committee wished to continue its consideration of the item during the second part of the resumed fifty-first session.

57. It was so decided.

58. The CHAIRMAN requested the Rapporteur to report directly to the General Assembly.

AGENDA ITEM 120: HUMAN RESOURCES MANAGEMENT (continued)

Draft resolution A/C.5/51/L.49

59. Mr. SCHLESINGER (Austria), coordinator of the consultations, introduced, on behalf of the Chairman, draft resolution A/C.5/51/L.49, entitled "Human resources management", and pointed out that in section VII, subparagraph (c) (i) should be moved to subparagraph (d); in section III.B the words "changes in" should be deleted; and in section II, paragraph 6, the word "processes" should be replaced by the word "procedures".

60. He recommended that the Committee should adopt draft resolution A/C.5/51/L.49, as orally revised, without a vote.

61. Mr. STEIN (Germany) said that the draft resolution did not mention the annual report on the composition of the Secretariat or the list of United Nations staff, but he had understood that the Secretariat had given assurances that those reports would be introduced. Nor did it mention the information on the number and breakdown by nationality and occupational group of the candidates who had sat the G-to-P examination, which could have been included in the report on the composition of the Secretariat.

62. Draft resolution A/C.5/51/L.49, as orally revised, was adopted.

Draft resolution A/C.5/51/L.54

63. Mr. SCHLESINGER (Austria), coordinator of the consultations, introduced, on behalf of the Chairman, draft resolution A/C.5/51/L.54, entitled "Respect for the privileges and immunities of officials of the United Nations and the

specialized agencies and related organizations', and recommended its adoption without a vote.

64. Draft resolution A/C.5/51/L.54 was adopted.

65. Mr. SULAIMAN (Syrian Arab Republic), speaking in explanation of position regarding draft resolution A/C.5/51/L.54 and the note submitted by the Secretary-General on behalf of the Administrative Committee on Coordination (A/C.5/50/3), said that the Syrian Arab Republic provided all necessary assistance to international civil servants in the performance of the functions in accordance with the agreements on privileges and immunities, but believed that, in turn, those officials should observe fully the laws and regulations of Member States, in particular those relating to national sovereignty of the host country, as well as their duties and responsibilities to the Organization, and should not take part in activities unrelated to their duties or interfere in the internal affairs of States.

The meeting was suspended at 11.15 p.m.